

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 11
)	
IGNITE RESTAURANT GROUP, INC., <i>et al.</i> , ¹)	Case No. 17-33550 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	

**GUC TRUST'S THIRD OMNIBUS OBJECTION TO CLAIMS
PURSUANT TO SECTION 502(B) OF THE BANKRUPTCY CODE AND RULE 3007 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE SEEKING TO DISALLOW
AND EXPUNGE CERTAIN CLAIMS**

(LATE FILED CLAIMS)

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THESE BANKRUPTCY CASES. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.

A HEARING HAS BEEN SET ON THIS MATTER ON SEPTEMBER 12, 2018 AT 2:00 P.M. (CENTRAL TIME) AND WILL BE HELD IN COURTROOM 400, 4TH FLOOR UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS, 515 RUSK STREET, HOUSTON, TEXAS 77002.

THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN PROOFS OF CLAIM. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ON SCHEDULE 1 TO EXHIBIT A ATTACHED TO THIS OBJECTION.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number (if any), are: Ignite Restaurant Group, Inc. (1359); Ignite Restaurant Group – RSC LLC (1791); Joe's Crab Shack, LLC (4189); Joe's Crab Shack – Redondo Beach, Inc. (5107); BHTT Entertainment, LLC (9818); Ignite Restaurants – New Jersey, LLC (5907); Joe's Crab Shack – Maryland, LLC (5297); Joe's Crab Shack – Anne Arundel MD, LLC (9318); Brick House Development, LLC (2944); JCS Monmouth Mall – NJ, LLC (3509); JCS Development LLC (4235). The Debtors' service address is: 10555 Richmond Avenue, Houston, Texas 77042.

Drivetrain, LLC, in its capacity as Trustee (the “GUC Trustee”) of the Ignite Restaurant Group GUC Trust (the “GUC Trust”) files this *Third Omnibus Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code and Rule 3007 of the Federal Rules of Bankruptcy Procedure Seeking to Disallow and Expunge Certain Claims (Late Filed Claims)* (this “Objection”). In support of this Objection, the GUC Trustee respectfully represents as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this case and this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(B). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409(a).

2. The predicates for the relief requested herein are section 502(b) of title 11 of the United States Code (“Bankruptcy Code”) and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

Relief Requested

3. The GUC Trustee respectfully requests entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Order”) disallowing and expunging each claim identified with a “Claim No.” on **Schedule 1** to the Order (collectively, the “Late Filed Claims”) in its entirety because each such Proof of Claim was filed after the General Bar Date, the Supplemental Bar Date, the Governmental Bar Date, and/or the Administrative Claims Bar Date.

General Background

4. On June 6, 2017 (the “Petition Date”), each of the Debtors filed a voluntary petition with the Court under chapter 11 of the Bankruptcy Code. The cases are being jointly administered pursuant to Bankruptcy Rule 1015(b).

5. The factual background relating to the Debtors’ commencement of these cases is set forth in detail in the *Declaration of Jonathan Tibus in Support of Chapter 11 Petitions and First Day Motions* [Docket No. 4] filed on the Petition Date and incorporated herein by reference.

6. The Debtors have continued in possession of their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

7. On August 29, 2017, the Debtors closed the sale of substantially all of their assets.

8. On September 18, 2017, the Debtors filed: (a) the Debtors’ Joint Chapter 11 Plan as of September 18, 2017 [Docket No. 708] (the “Plan”); and (b) the Disclosure Statement with Respect to the Debtors’ Joint Chapter 11 Plan as of September 18, 2017 [Docket No. 709] (the “Disclosure Statement”).

9. On November 29, 2017, the Court confirmed the Plan and on December 1, 2017, entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Debtors’ Joint Chapter 11 Plan as of September 18, 2017* (the “Confirmation Order”) [Docket No. 967]. The Plan became effective on December 19, 2017 (the “Effective Date”). See Docket No. 1031.

10. Under the Plan, Drivetrain, LLC was appointed as the GUC Trustee of the Ignite Restaurant Group GUC Trust.

11. Pursuant to the Plan, the GUC Trustee is a party in interest with respect to all objections to Claims and all compromises of such objections. Plan, Section 8.04 (“ . . . the GUC Trustee and other parties in interest to the extent provided by section 502(a) of the Bankruptcy Code, on and after the Effective Date, shall have the right to File objections to Claims . . .”).

The Claims Reconciliation Process

12. On June 7, 2017, the Court established September 1, 2017 as the bar date for filing claims against the Debtors held by non-governmental entities and December 3, 2017 as the bar date for filing claims against the Debtors held by governmental entities [Docket No. 65].

13. On July 20, 2017, the Debtors filed their Schedules of Assets and Liabilities and Statements of Financial Affairs.

14. On September 8, 2017, the Court entered an order establishing October 16, 2017 as a supplemental bar date for certain employees of the Debtors that did not receive notice of the original bar date.

15. On November 13, 2017, the Court entered the *Order Approving Omnibus Claims Objection Procedures and Filing of Substantive Omnibus Claims Objections* [Docket No. 886], approving and establishing the proposed objection procedures (the “Objection Procedures”). This Objection is filed in accordance with the Objection Procedures.

16. On December 19, 2017, the Court established January 18, 2018 as the bar date for filing administrative claims against the Debtors (the “Administrative Claims Bar Date”).

17. The official claims register, prepared and maintained by the Debtors’ claims agent, reflects that over 1,450 proofs of claim were filed against the Debtors’ estates.

18. Since the Effective Date, the GUC Trustee, among other things, has coordinated obtaining the information necessary to begin the process of reviewing and reconciling the Claims

filed in these chapter 11 cases. In connection therewith, the GUC Trustee is in the process of analyzing general unsecured claims that it is responsible for reconciling and resolving. The GUC Trustee and its advisors have been working diligently to review these proofs of claim, including any supporting documentation filed together with any proof of claim.

19. Attached hereto as **Exhibit B** is the Declaration of Ivona Smith in Support of the *Third Omnibus Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code and Rule 3007 of the Federal Rules of Bankruptcy Procedure Seeking to Disallow and Expunge Certain Claims (Late Filed Claims)* (the “Declaration”).

Basis for Relief

20. Pursuant to Section 502(a) of the Bankruptcy Code, a filed proof of claim is deemed allowed, unless a party in interest objects. 11 U.S.C. § 502(a). A properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and the amount of the claim under section 502(a) of the Bankruptcy Code. Fed. R. Bankr. P. 3001(f). To receive the benefit of *prima facie* validity, however, a proof of claim must assert factual allegations which would entitle the claimant to a recovery. *In re Heritage Org., LLC*, 04-35574 (BJH), 206 WL 6508477, at *8 (Bankr. N.D. Tex. Jan. 27, 2006). Additionally, a claimant’s proof of claim is entitled to the presumption of *prima facie* validity under Bankruptcy Rule 3001(f) only until an objecting party refutes at least one of the allegations that is essential to the claim’s legal sufficiency. *In re Starnes*, 231 B.R. 903, 912 (N.D. Tex. 1998). Once an allegation is refuted, “the burden shifts to the claimant to prove by a preponderance of the evidence.” *In re Congress, LLC*, 529 B.R. 213, 219 (Bankr. W.D. Tex. 2015); *see also Cavu/Rock Props. Project I, LLC v. Gold Star Constr., Inc. (In re Cavu/Rock Props. Project I, LLC)*, 516 B.R. 414, 422 (Bankr. W.D. Tex. 2014). “The

ultimate burden of proof always lies with the claimant.” *In re Armstrong*, 347 B.R. 581, 583 (Bankr. N.D. Tex. 2006).

21. Bankruptcy Rule 3007 requires that an objection to a proof of claim be made in writing, and that the claimant be provided with not less than thirty days’ notice of the hearing to be held in respect of such objection. See Fed. R. Bankr. P. 3007(a). Objections of up to one hundred claims may be joined in an omnibus objection if such objections are based on the grounds that the claims should be disallowed, in whole or in part, for any of eight enumerated reasons, including: (a) “they duplicate other claims”; (b) “they have been amended by subsequently filed proofs of claim”; (c) “they were not timely filed”; (d) “they have been satisfied or released during the case in accordance with the Code, the applicable rules, or a court order”; and (e) “they are interests, rather than claims.” See Fed. R. Bankr. P. 3007(d)–(e).

22. Bankruptcy Rule 3003(c)(3) provides that “[t]he court shall fix and for cause shown may extend the time within which proofs of claim or interest may be filed.” Fed. R. Bankr. P. 3003(c)(3). Section 502(b)(9) of the Bankruptcy Code mandates that “if [an] objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim . . . and shall allow such claim in such amount, except to the extent that . . . proof of such claim is not timely filed,” with certain limited exceptions that are not applicable here. 11 U.S.C. § 502(b)(9). Bar dates serve the important purposes of “finality and debtor rehabilitation.” *In re PT-1 Communs., Inc.*, 386 B.R. 402, 409 (Bankr. E.D.N.Y. 2007) (quotation and marks omitted); see *Berger v. Trans World Airlines, Inc. (In re Trans World Airlines, Inc.)*, 96 F.3d 687, 690 (3d Cir. 1996) (noting that bar date means “a ‘drop-dead date’ that bars all prepetition claimants who received the required notice”). Indeed, the “bar date is akin to a statute of limitations, and must be strictly observed.” *In re Keene Corp.*, 188 B.R. 903, 907 (Bankr. S.D.N.Y. 1995). Allowing

proofs of claim to be filed at any time would make it “impossible to determine with any finality the obligations of the debtor.” *PT-1 Communs.*, 386 B.R. at 409 (quotation and marks omitted).

23. Here, the *Order Granting Complex Chapter 11 Bankruptcy Case Treatment* [Docket No. 22] and the Bar Date Order established clear and unambiguous deadlines for filing Proofs of Claim against the Debtors in these chapter 11 cases. With certain limited exceptions that do not apply to any of the Proofs of Claim identified in **Schedule 1** to **Exhibit A** attached hereto, Proofs of Claim were required to be filed so as to be received on or before the applicable Bar Date.

24. The Late Filed Claims set forth in **Schedule 1** to **Exhibit A** arose prior to the Petition Date and were required to be filed by the applicable Bar Date, but such Late Filed Claims were not, in fact, filed on or before the applicable Bar Date. None of the claimants that filed Late Filed Claims has filed a motion with the Court, or contacted the Debtor, requesting authorization to file a late Proof of Claim. If the Late Filed Claims are not disallowed and expunged, the parties that filed these Proofs of Claim will receive distributions to the detriment of other stakeholders in this case that they are not entitled to. *See Declaration at ¶ 6.*

25. Accordingly, the GUC Trustee respectfully requests that the Court disallow and expunge each Late Filed Claim in its entirety.

Reservation of Rights

26. In the event that any of the Late Filed Claims are not disallowed and expunged on the grounds asserted herein, the GUC Trustee hereby reserves his rights to object to such Proofs of Claim on any other grounds. Additionally, the GUC Trustee expressly reserves the right to amend, modify, or supplement the objections asserted herein and to file additional objections to the Proofs of Claim or any other claims that may be asserted against the Debtors’ estates.

27. Nothing contained herein or any actions taken pursuant to such relief is intended or should be construed as: (a) an admission as to the validity of any prepetition claim against a Debtor entity or such Debtor entity's estate; (b) a waiver of any party's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by this Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the GUC Trustee's rights under the Bankruptcy Code or any other applicable law.

Separate Contested Matter

28. To the extent that a response is filed regarding any Late Filed Claim and the GUC Trustee is unable to resolve any such response, each such Late Filed Claim, and the Objection as it pertains to such Late Filed Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Further, the GUC Trustee requests that any order entered by the Court regarding an objection or other reply asserted in response to this Objection be deemed a separate order with respect to each proof of claim.

Notice

29. Notice of this Objection has been given to: (a) all parties on the Master Service List; and (b) holders of the Late Filed Claims. The GUC Trustee respectfully submits that such notice is sufficient and proper under the circumstances and that no other or further notice is required.

Conclusion

WHEREFORE, based upon the foregoing, the GUC Trustee respectfully request that the Court: (a) sustain this Objection; (b) enter an order substantially in the form of the order attached hereto as **Exhibit A** sustaining this Objection and providing that the Late Filed Claims shall be disallowed and expunged; and (c) grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Dated: July 18, 2018

COLE SCHOTZ P.C.

/s/ Michael D. Warner

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-and-

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Counsel to the GUC Trustee

EXHIBIT A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 11
)	
IGNITE RESTAURANT GROUP, INC., et al.,¹)	Case No. 17-33550 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	

**ORDER SUSTAINING
THIRD OMNIBUS OBJECTION TO CLAIMS
PURSUANT TO SECTION 502(B) OF THE BANKRUPTCY CODE AND RULE 3007 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE SEEKING TO DISALLOW
AND EXPUNGE CERTAIN CLAIMS**

(LATE FILED CLAIMS)

Upon the objection (the “Objection”)² of Drivetrain, LLC, in its capacity as Trustee (the “GUC Trustee”) of the Ignite Restaurant Group GUC Trust (the “GUC Trust”) seeking entry of an order (this “Order”) disallowing and expunging the Late Filed Claims identified on **Schedule 1** attached hereto, it is HEREBY ORDERED THAT:

1. The Objection is sustained as set forth herein.
2. Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007, each Late Filed Claim identified on **Schedule 1** to this Order is disallowed and expunged in its entirety.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), are: Ignite Restaurant Group, Inc. (1359); Ignite Restaurant Group – RSC LLC (1791); Joe’s Crab Shack, LLC (4189); Joe’s Crab Shack – Redondo Beach, Inc. (5107); BHTT Entertainment, LLC (9818); Ignite Restaurants – New Jersey, LLC (5907); Joe’s Crab Shack – Maryland, LLC (5297); Joe’s Crab Shack – Anne Arundel MD, LLC (9318); Brick House Development, LLC (2944); JCS Monmouth Mall – NJ, LLC (3509); JCS Development LLC (4235). The Debtors’ service address is: 10555 Richmond Avenue, Houston, Texas 77042.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

3. The Debtors' Claims Agent is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.

4. Each claim and the objections by the GUC Trustee to each claim identified in **Schedule 1** constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order will be deemed a separate order with respect to each Late Filed Claim.

5. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity or such Debtor entity's estate; (b) a waiver of any party's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by this Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the GUC Trustee's rights under the Bankruptcy Code or any other applicable law.

6. The terms and conditions of this Order will be immediately effective and enforceable upon its entry.

7. The GUC Trustee, the Claims Agent, and the Clerk of the Court are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.

8. This Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Dated: _____, 2018
Houston, Texas

THE HONORABLE DAVID R. JONES
CHIEF UNITED STATES
BANKRUPTCY JUDGE

SCHEDULE 1

**Ignite Restaurant Group, Inc. et al.
GUC Trust 3rd Omnibus Objection to Claims
Schedule 1 – Late Filed Claims**

Note: Claimants are listed alphabetically.

SEQ NO.	CLAIM(S) TO BE DISALLOWED & EXPUNGED						GROUNDS FOR OBJECTION
	NAME	DATE FILED	CASE NUMBER	CLAIM NO.	CLAIMED DEBTOR	CLAIM AMOUNT	
1	20100 EASTEX, LLC 111 EAST JERICHO TURNPIKE SUITE 200 MINEOLA, NY 11501	09/28/17	17-33551	1252	Ignite Restaurant Group, Inc.	Unsecured: \$3,353,853.60	Claim filed after general bar date of 9/1/2017.
2	20100 EASTEX LLC ATTN ESHAGH MAKEKAN 111 E JERICHO TURNPIKE MINEOLA, NY 11501	10/02/17	17-33551	1258	Ignite Restaurant Group, Inc.	Unsecured: \$3,353,853.60	Claim filed after general bar date of 9/1/2017.
3	8250 DEAN ROAD, LLC C/O JOSEPH ESMONT BAKERHOSTETLER 127 PUBLIC SQUARE STE 2000 CLEVELAND, OH 44114	10/15/17	17-33552	1314	Joe's Crab Shack, LLC	Unsecured: \$461,377.46	Claim filed after general bar date of 9/1/2017.
4	ACF SERVICES COMPANY 11206 AMPERE CT LOUISVILLE, KY 40299	10/27/17	17-33552	1336	Joe's Crab Shack, LLC	Unsecured: \$10,526.52	Claim filed after general bar date of 9/1/2017.
5	AMERICAN RESIDENTIAL SERVICES 2548 OSCAR JOHNSON DR N CHARLESTON, SC 29405	09/21/17	17-33552	1234	Joe's Crab Shack, LLC	Unsecured: \$1,377.00	Claim filed after general bar date of 9/1/2017.
6	AMERICAN WATER PO BOX 578 ALTON, IL 62002	09/25/17	17-33551	1243	Ignite Restaurant Group, Inc.	Unsecured: \$11,288.89	Claim filed after general bar date of 9/1/2017.
7	ANNA COLLINS C/O AIELLO HARRIS ET AL ATTN WILLIAM R MARTH, ESQ 501 WATCHUNG AVE WATCHUNG, NJ 07069	09/05/17	17-33551	1275	Ignite Restaurant Group, Inc.	Unsecured: \$1,000,000.00	Claim filed after general bar date of 9/1/2017.
8	AVERUS, INC. 3851 CLEARVIEW CT GURNEE, IL 60031	12/06/17	17-33551	1398	Ignite Restaurant Group, Inc.	Unsecured: \$11,284.43	Claim filed after general bar date of 9/1/2017.
9	BELCO ELECTRIC INC 3118 MARJAN DR ATLANTA, GA 30340	09/05/17	17-33551	1278	Ignite Restaurant Group, Inc.	Unsecured: \$349.58	Claim filed after general bar date of 9/1/2017.
10	BIEG PLUMBING COMPANY 2015 LEMAY FERRY RD 2015 LEMAY FERRY RD SAINT LOUIS, MO 63125	10/03/17	17-33551	1259	Ignite Restaurant Group, Inc.	Unsecured: \$933.00	Claim filed after general bar date of 9/1/2017.
11	ROGER BOYVEY 201 UNIVERSITY AVENUE BERKELEY, CA 94710	09/16/17	17-33552	1209	Joe's Crab Shack, LLC	Unsecured: \$187,333.47	Claim filed after general bar date of 9/1/2017.
12	BRAILLE WORKS INTERNATIONAL INC ATTN ROBERT SKET CFO 941 DARBY LAKE ST SEFFNER, FL 33584	09/08/17	17-33551	1191	Ignite Restaurant Group, Inc.	Unsecured: \$1,655.40	Claim filed after general bar date of 9/1/2017.
13	BREAKTHRU BEVERAGE COLORADO 3980 CENTRAL PARK BLVD DENVER, CO 80238	09/05/17	17-33551	1277	Ignite Restaurant Group, Inc.	Unsecured: \$5,875.38	Claim filed after general bar date of 9/1/2017.
14	CITY OF DAYTONA BEACH ATTN ROBERT JAGGER, CITY ATTORNEY PO BOX 2451 DAYTONA BEACH, FL 32115	12/08/17	17-33551	1403	Ignite Restaurant Group, Inc.	Unsecured: \$11,536.15	Claim filed after general bar date of 9/1/2017.
15	COMMERCIAL APPLIANCE PARTS & SERVICE C/O GREAT LAKES SERVICES ATTN MICHAEL OLSON 50 EISENHOWER LN N LOMBARD, IL 60148	09/05/17	17-33551	1076	Ignite Restaurant Group, Inc.	Unsecured: \$3,292.96	Claim filed after general bar date of 9/1/2017.
16	CONSTELLATION NEWENERGY, INC. ATTN: SUSANNE LALONDE 1310 POINT STREET 12TH FLOOR BALTIMORE, MD 21231	12/14/17	17-33551	1405	Ignite Restaurant Group, Inc.	Unsecured: \$28,368.36	Claim filed after general bar date of 9/1/2017.
17	CORPORATE TRANSLATION SERVICES INC 701 NE 136 AVE STE 200 VANCOUVER, WA 98684	12/01/17	17-33551	1395	Ignite Restaurant Group, Inc.	Unsecured: \$94.40	Claim filed after general bar date of 9/1/2017.
18	CRAIG D HELSOR 130 LANTERN LANE ROCHESTER, NY 14623	09/26/17	17-33552	1247	Joe's Crab Shack, LLC	Unsecured: \$50.00	Claim filed after general bar date of 9/1/2017.
19	CROSSINGS AT HOBART I LLC C/O TOD H FRIEDMAN 4300 E FIFTH AVE COLUMBUS, OH 43219	04/02/18	17-33552	1460	Joe's Crab Shack, LLC	Unsecured: \$13,143.14*	Claim filed after general bar date of 9/1/2017.

Ignite Restaurant Group, Inc. et al.
GUC Trust 3rd Omnibus Objection to Claims
Schedule 1 – Late Filed Claims

Note: Claimants are listed alphabetically.

SEQ NO.	CLAIM(S) TO BE DISALLOWED & EXPUNGED						GROUNDS FOR OBJECTION
	NAME	DATE FILED	CASE NUMBER	CLAIM NO.	CLAIMED DEBTOR	CLAIM AMOUNT	
20	CROSSINGS AT HOBART-I LLC C/O SCHOTTENSTEIN PROPERTY GROUP ATTN TOD H FRIEDMAN 4300 E FIFTH AVE COLUMBUS, OH 43219	09/05/17	17-33552	1078	Joe's Crab Shack, LLC	Unsecured: \$6,290.88*	Claim filed after general bar date of 9/1/2017.
21	CROSSINGS AT HOBART-I LLC C/O SCHOTTENSTEIN PROPERTY GROUP ATTN TOD H FRIEDMAN 4300 E FIFTH AVE COLUMBUS, OH 43219	12/15/17	17-33552	1407	Joe's Crab Shack, LLC	Unsecured: \$11,665.88	Claim filed after general bar date of 9/1/2017.
22	DARLING INGREDIENTS INC 251 OCONNOR RIDGE BLVD STE 300 IRVING, TX 75038	09/18/17	17-33551	1214	Ignite Restaurant Group, Inc.	Unsecured: \$2,652.01	Claim filed after general bar date of 9/1/2017.
23	DAVID MCLASKEY C/O PAPPAS & RUSSELL P A 213 SILVER BEACH AVE DAYTONA BEACH, FL 32118	12/08/17	17-33552	1404	Joe's Crab Shack, LLC	Unsecured: \$500,000.00	Claim filed after general bar date of 9/1/2017.
24	DOMINION ENERGY OHIO PO BOX 5759 CLEVELAND, OH 44101	09/05/17	17-33558	1287	BHTT Entertainment, LLC	Unsecured: \$2,930.36	Claim filed after general bar date of 9/1/2017.
25	DUQUESNE LIGHT COMPANY C/O DANIEL R. SCHIMIZZI 707 GRANT ST., SUITE 2200, GULF TOWER PITTSBURGH, PA 15219	10/16/17	17-33551	1321	Ignite Restaurant Group, Inc.	Unsecured: \$9,172.91	Claim filed after general bar date of 9/1/2017.
26	E.W. CARROLL & SONS, INC DBA ABC PLUMBING 205 22ND STREET SACRAMENTO, CA 95816	01/24/18	17-33551	1448	Ignite Restaurant Group, Inc.	Unsecured: \$1,850.00	Claim filed after general bar date of 9/1/2017.
27	ENGIE RESOURCES LLC ATTN NAVEEN RABIE 1990 POST OAK BLVD STE 1900 HOUSTON, TX 77056	10/02/17	17-33551	1262	Ignite Restaurant Group, Inc.	Unsecured: \$5,813.33	Claim filed after general bar date of 9/1/2017.
28	FAIR LAKES CRABHOUSE LC ATTN BRYAN PRENTICE 2929 ALLEN PKWY STE 2800 HOUSTON, TX 77019	10/25/17	17-33551	1334	Ignite Restaurant Group, Inc.	Unsecured: \$20,492.16	Claim filed after general bar date of 9/1/2017.
29	JESSICA FENSTERMACHER 447 GRANGE RD ALLEN TOWN, PA 18106	01/11/18	17-33551	1424	Ignite Restaurant Group, Inc.	Unsecured: \$31,000.00	Claim filed after general bar date of 9/1/2017.
30	FESCO (FOOD EQUIPMENT SERVICES CO) 2315 SYCAMORE DR KNOXVILLE, TN 37921	09/05/17	17-33551	1186	Ignite Restaurant Group, Inc.	Unsecured: \$1,020.16	Claim filed after general bar date of 9/1/2017.
31	FISHER & PHILLIPS LLP ATTN RICHARD SHAWN GROSS 1075 PEACHTREE ST NE ATLANTA, GA 30309	09/05/17	17-33551	1079	Ignite Restaurant Group, Inc.	Unsecured: \$615,772.90	Claim filed after general bar date of 9/1/2017.
32	DUKE ENERGY FLORIDA LEGAL - BANKRUPTCY 550 SOUTH TRYON STREET DEC45A CHARLOTTE, NC 28202	09/14/17	17-33552	1203	Joe's Crab Shack, LLC	Unsecured: \$6,756.84	Claim filed after general bar date of 9/1/2017.
33	GABRIELLE BRADY (MINOR) C/O LATARSHA BRADY 7943 BOSTON LN HIXSON, TN 37343	09/05/17	N/A	1062	Undetermined	Unsecured: Unliquidated	Claim filed after general bar date of 9/1/2017.
34	GARDAWORLD ATTN SHELLY SARFATY 2000 NW CORPORATE BLVD BOCA RATON, FL 33431	01/17/18	17-33551	1431	Ignite Restaurant Group, Inc.	Unsecured: \$21,363.83	Claim filed after general bar date of 9/1/2017.
35	WELLSTAR MEDICAL GROUP 120 STONEBRIDGE PKWY #310 WOODSTOCK, GA 30189	01/08/18	17-33551	1417	Ignite Restaurant Group, Inc.	Unsecured: \$256.00	Claim filed after general bar date of 9/1/2017.
36	WELLSTAR MEDICAL GROUP 120 STONEBRIDGE PKWY #310 WOODSTOCK, GA 30189	01/08/18	17-33551	1417	Ignite Restaurant Group, Inc.	Unsecured: \$256.00	Claim filed after general bar date of 9/1/2017.
37	HAGAR RESTAURANT SERVICE 6200 NW 2ND ST OKLAHOMA CITY, OK 73127	09/05/17	17-33552	1061	Joe's Crab Shack, LLC	Unsecured: \$1,141.10	Claim filed after general bar date of 9/1/2017.
38	HAMPTON ROADS ELECTRIC, INC 225 COLONEL CIR VIRGINIA BEACH, VA 23452	09/06/17	17-33551	1091	Ignite Restaurant Group, Inc.	Unsecured: \$510.00	Claim filed after general bar date of 9/1/2017.
39	AMBER HUGHES 256 MEADOWCRREST DRIVE TERRELL, TX 75160	03/14/18	17-33551	1454	Ignite Restaurant Group, Inc.	Secured: Unliquidated Priority: Unliquidated Unsecured: Unliquidated	Claim filed after general bar date of 9/1/2017.

**Ignite Restaurant Group, Inc. et al.
GUC Trust 3rd Omnibus Objection to Claims
Schedule 1 – Late Filed Claims**

Note: Claimants are listed alphabetically.

SEQ NO.	CLAIM(S) TO BE DISALLOWED & EXPUNGED						GROUNDS FOR OBJECTION
	NAME	DATE FILED	CASE NUMBER	CLAIM NO.	CLAIMED DEBTOR	CLAIM AMOUNT	
40	IBRAHIM MUNTASER 400 SE 8TH STREET FT. LAUDERDALE, FL 33316	09/18/17	17-33551	1215	Ignite Restaurant Group, Inc.	Unsecured: \$15,000.00	Claim filed after general bar date of 9/1/2017.
41	INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION 5496 NORTH US HIGHWAY 85 SEDALIA, CO 80135	09/05/17	17-33558	1172	BHTT Entertainment, LLC	Unsecured: \$4,709.74	Claim filed after general bar date of 9/1/2017.
42	J NAZZARO PARTNERSHIP LP 8 SAXON AVE STE C BAY SHORE, NY 11706	01/10/18	17-33551	1422	Ignite Restaurant Group, Inc.	Unsecured: \$750,895.48	Claim filed after general bar date of 9/1/2017.
43	JERSEY CENTRAL POWER & LIGHT C/O WELTMAN WEINBERG & REIS CO LPA 3705 MARLANE DR GROVE CITY, OH 43123	10/13/17	17-33552	1316	Joe's Crab Shack, LLC	Unsecured: \$2,629.30	Claim filed after general bar date of 9/1/2017.
44	JOHN S MILLER III 1313 BELGRADE AVENUE ORLANDO, FL 32803	10/19/17	17-33551	1325	Ignite Restaurant Group, Inc.	Unsecured: \$1,250.00	Claim filed after general bar date of 9/1/2017.
45	JORDAN COMMONS LLC C/O SNELL & WILMER LLP ATTN TIMOTHY DANCE 15 W SOUTH TEMPLE STE 1200 SALT LAKE CITY, UT 84101	09/05/17	17-33551	1124	Ignite Restaurant Group, Inc.	Unsecured: \$175,000.00	Claim filed after general bar date of 9/1/2017.
46	JOSEPH ROME C/O LUIS R GRACIA 632 DUNLAWTON AVENUE 5090 RICHMOND AVE. #472 PORT ORANGE, TX 32127	09/30/17	17-33551	1255	Ignite Restaurant Group, Inc.	Unsecured: \$0.00*	Claim filed after general bar date of 9/1/2017.
47	JUANA MOYA AND JUAN MOYA HER HUSBAND PER QUOD C/O FREDERIC J ROSSI ESQ 1018 MCBRIDE AVE WOODLAND PARK, NJ 07424	09/05/17	17-33551	1075	Ignite Restaurant Group, Inc.	Unsecured: \$250,000.00	Claim filed after general bar date of 9/1/2017.
48	JUDITH S BOWLYOU C/O ANDREW E LEMANSKI 9600 LONG POINT RD STE 150 HOUSTON, TX 77055	01/22/18	17-33551	1442	Ignite Restaurant Group, Inc.	Unsecured: \$500,000.00	Claim filed after general bar date of 9/1/2017.
49	L T WEST INC 3769 HWY 95 MAMOU, LA 70554	10/05/17	17-33552	1263	Joe's Crab Shack, LLC	Unsecured: \$6,248.25	Claim filed after general bar date of 9/1/2017.
50	LESTER MCDUFFIE C/O THE KAHN LAW FIRM, PC ATTN: JOHN J. KAHN, JR. 2225 COUNTY ROAD 90, SUITE 109 PEARLAND, TX 77584	09/07/17	17-33552	1177	Joe's Crab Shack, LLC	Unsecured: \$250,000.00*	Claim filed after general bar date of 9/1/2017.
51	LINDA WOODCOCK C/O JACOBS ANDERSON POTTER AND CHAPLIN LLP ATTN DOUGLAS B JACOBS 20 INDEPENDENCE CIR CHICO, CA 95973	09/29/17	17-33551	1285	Ignite Restaurant Group, Inc.	Unsecured: \$10,000.00	Claim filed after general bar date of 9/1/2017.
52	VYS PSARADIKO LLC 2385 NW EXECUTIVE CENTER DRIVE STE 300 BOCA RATON, FL 33431	10/17/17	17-33552	1323	Joe's Crab Shack, LLC	Unsecured: \$876,724.99	Claim filed after general bar date of 9/1/2017.
53	LOUGENIA PATTERSON C/O MORGAN & MORGAN PLLC ATLANTA PO BOX 57007 ATLANTA, GA 30303	09/05/17	17-33552	1077	Joe's Crab Shack, LLC	Unsecured: \$17,745.19	Claim filed after general bar date of 9/1/2017.
54	MICHAEL JOHNSON C/O ANTHONY J BRUSCATO 2011 HUDSON LN MONROE, LA 71201	02/23/18	17-33551	1453	Ignite Restaurant Group, Inc.	Unsecured: \$16,825.00	Claim filed after general bar date of 9/1/2017.
55	MIDAMERICAN ENERGY SERVICES, LLC PO BOX 4290 DAVENPORT, IA 52808	10/06/17	17-33551	1296	Ignite Restaurant Group, Inc.	Unsecured: \$139,969.17	Claim filed after general bar date of 9/1/2017.
56	MLCSV10, LLC 9219 KATY FREEWAY #291 HOUSTON, TX 77024	09/19/17	17-33558	1226	BHTT Entertainment, LLC	Unsecured: \$19,334.57	Claim filed after general bar date of 9/1/2017.
57	A NAZZARO ASSOCIATES INC 8 SAXON AVE STE C BAY SHORE, NY 11706	01/10/18	17-33551	1421	Ignite Restaurant Group, Inc.	Unsecured: \$778,067.06	Claim filed after general bar date of 9/1/2017.
58	NET STAR TELECOMMUNICATIONS INC ATTN KAREN E HANSON-FLOWERS, SVP CONTRACT ADMIN 1301 FANNIN 20TH FL HOUSTON, TX 77002	01/18/18	17-33551	1434	Ignite Restaurant Group, Inc.	Unsecured: \$16,842.55	Claim filed after general bar date of 9/1/2017.

**Ignite Restaurant Group, Inc. et al.
GUC Trust 3rd Omnibus Objection to Claims
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Note: Claimants are listed alphabetically.

SEQ NO.	CLAIM(S) TO BE DISALLOWED & EXPUNGED						GROUNDS FOR OBJECTION
	NAME	DATE FILED	CASE NUMBER	CLAIM NO.	CLAIMED DEBTOR	CLAIM AMOUNT	
59	NIKIA L STONE C/O MICHAEL J HOOD LLC 916 NEW RD WILMINGTON, DE 19805	09/05/17	17-33552	1171	Joe's Crab Shack, LLC	Unsecured: \$100,000.00	Claim filed after general bar date of 9/1/2017.
60	ERGOS TECHNOLOGY PARTNERS 6110 CLARKSON LN HOUSTON, TX 77055	10/30/17	17-33551	1340	Ignite Restaurant Group, Inc.	Unsecured: \$10,598.53*	Claim filed after general bar date of 9/1/2017.
61	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC C/O PITNEY BOWES INC 27 WATERVIEW DR 3RD FL SHELTON, CT 06484	11/15/17	17-33551	1374	Ignite Restaurant Group, Inc.	Unsecured: \$8,274.41*	Claim filed after general bar date of 9/1/2017.
62	NORTH FLORIDA PLUMBING 3693 MORTON ST. JACKSONVILLE, FL 32217	09/20/17	17-33551	1232	Ignite Restaurant Group, Inc.	Unsecured: \$1,203.40	Claim filed after general bar date of 9/1/2017.
63	PSE&G ATTN BANKRUPTCY DEPT PO BOX 490 CRANFORD, NJ 07016	01/24/18	17-33551	1449	Ignite Restaurant Group, Inc.	Unsecured: \$45,920.85	Claim filed after general bar date of 9/1/2017.
64	PSEGLI 15 PARK DRIVE SPECIAL COLLECTIONS MELVILLE, NY 11747	09/26/17	17-33551	1248	Ignite Restaurant Group, Inc.	Unsecured: \$10,246.10	Claim filed after general bar date of 9/1/2017.
65	RACHEL GRANNAN C/O LEYH PAYNE & MALLIA PLLC ATTN STEVEN A LEYH 9545 KATY FWY STE 200 HOUSTON, TX 77024	09/11/17	17-33558	1193	BHTT Entertainment, LLC	Unsecured: \$15,000.00*	Claim filed after general bar date of 9/1/2017.
66	RAY BLANCHETTE C/O HOOVER SLOVACEK LLP ATTN CURTIS MCCREIGHT 5051 WESTHEIMER STE 1200 HOUSTON, TX 77056	09/05/17	17-33551	1074	Ignite Restaurant Group, Inc.	Unsecured: Unliquidated	Claim filed after general bar date of 9/1/2017.
67	RINCHUSO'S PLUMBING & HEATING 607 MT ZION RD SHREVEPORT, LA 71106	09/05/17	17-33551	1274	Ignite Restaurant Group, Inc.	Unsecured: \$548.50	Claim filed after general bar date of 9/1/2017.
68	ROBERT W HUTSON TRUSTEE TR #1001 6/20/00 C/O DIMONTE & LIZAK LLC ATTN JULIA JENSEN SMOLKA 216 W HIGGINS RD PARK RIDGE, IL 60068	03/23/18	17-33552	1462	Joe's Crab Shack, LLC	Unsecured: \$431,808.94	Claim filed after general bar date of 9/1/2017.
69	ROBERT W. HUTSON TRUSTEER #1001 6/20/00 DIMONTE & LIZAK, LLC 216 W. HIGGINS ROAD PARK RIDGE, IL 60068	09/08/17	17-33552	1178	Joe's Crab Shack, LLC	Unsecured: \$449,285.34	Claim filed after general bar date of 9/1/2017.
70	SAMCO FACILITIES MAINTENANCE 38505 WOODWARD AVE STE 100 BLOOMFIELD HILLS, MI 48034	11/21/17	17-33552	1377	Joe's Crab Shack, LLC	Unsecured: \$4,604.88	Claim filed after general bar date of 9/1/2017.
71	SILVERLAKE STADIUM LLC A DELAWARE LLC C/O PRINCIPAL REAL ESTATE INVESTORS LLC ATTN CASEY MILLER 711 HIGH ST DES MOINES, IA 50392	08/15/17	N/A	359	Undetermined	Unsecured: \$8,570.13	Claim filed after general bar date of 9/1/2017.
72	SILVERLAKE STADIUM LLC A DELAWARE LLC C/O PRINCIPAL REAL ESTATE INVESTORS ATTN CASEY MILLER 711 HIGH ST DES MOINES, IA 50392	10/16/17	17-33552	1319	Joe's Crab Shack, LLC	Admin: \$7,142.00 Unsecured: \$104,269.91	Claim filed after general bar date of 9/1/2017.
73	SLM WASTE & RECYCLING SERVICES, INC. 5000 COMMERCE DRIVE GREEN LANE, PA 18054	11/28/17	17-33551	1391	Ignite Restaurant Group, Inc.	Unsecured: \$8,860.38	Claim filed after general bar date of 9/1/2017.
74	SOURCE REFRIGERATION & HVAC INC ATTN SAM ROTUNA 800 E ORANGETHORPE AVE ANAHEIM, CA 92801	09/05/17	17-33551	1276	Ignite Restaurant Group, Inc.	Unsecured: \$3,911.66	Claim filed after general bar date of 9/1/2017.
75	STARLITE LIMITED PARTNERSHIP DR. BIANCA M. FINE FINE ASSOCIATES LLC 4916 IDS CENTER MINNEAPOLIS, MN 55402	01/16/18	17-33552	1428	Joe's Crab Shack, LLC	Unsecured: \$194,824.00	Claim filed after general bar date of 9/1/2017.
76	TAMPA ELECTRIC COMPANY C/O TRACY ROMANO/P2 PO BOX 111 TAMPA, FL 33601	09/05/17	17-33551	1273	Ignite Restaurant Group, Inc.	Unsecured: \$5,114.03	Claim filed after general bar date of 9/1/2017.
77	TAYLOR FREEZER SALES CO OF GA 247 CASTLEBERRY INDUSTRIAL DRIVE CUMMING, GA 30040	09/08/17	17-33551	1179	Ignite Restaurant Group, Inc.	Unsecured: \$761.78	Claim filed after general bar date of 9/1/2017.

Ignite Restaurant Group, Inc. et al.
GUC Trust 3rd Omnibus Objection to Claims
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Note: Claimants are listed alphabetically.

SEQ NO.	CLAIM(S) TO BE DISALLOWED & EXPUNGED						GROUNDS FOR OBJECTION
	NAME	DATE FILED	CASE NUMBER	CLAIM NO.	CLAIMED DEBTOR	CLAIM AMOUNT	
78	TEXAS COMPTROLLER OF PUBLIC ACCOUNTS OBO THE STATE OF TEXAS AND LOCAL SALES TAX JURISDICTIONS OFFICE OF THE ATTORNEY GENERAL BANKRUPTCY & COLLECTIONS DIVISION PO BOX 12548 MC-008 AUSTIN, TX 78711	12/11/17	17-33552	1402	Joe's Crab Shack, LLC	Unsecured: \$533.71	Claim filed after general bar date of 9/1/2017.
79	THE ULTIMATE SOFTWARE GROUP, INC. C/O AKERMAN LLP ATTN. D. BRETT MARKS, ESQ. 350 LAS OLAS BLVD., SUITE 1600 FORT LAUDERDALE, FL 33301	01/16/18	17-33551	1430	Ignite Restaurant Group, Inc.	Unsecured: \$23,643.70	Claim filed after general bar date of 9/1/2017.
80	TOMMY GARNER AC & HEATING, INC. 12535 WARWICK BLVD. NEWPORT NEWS, VA 23606	10/09/17	17-33552	1307	Joe's Crab Shack, LLC	Unsecured: \$306.25	Claim filed after general bar date of 9/1/2017.
81	TRISTAR SERVICES USA 8619 VIA BELLA NOTTE ORLANDO, FL 32836	09/11/17	17-33551	1181	Ignite Restaurant Group, Inc.	Unsecured: \$9,448.00	Claim filed after general bar date of 9/1/2017.
82	TRISTAR SERVICES USA 8619 VIA BELLA NOTTE ORLANDO, FL 32836	09/11/17	17-33551	1181	Ignite Restaurant Group, Inc.	Unsecured: \$9,448.00	Claim filed after general bar date of 9/1/2017.
83	TRISTAR SERVICES USA 8619 VIA BELLA NOTTE ORLANDO, FL 32836	09/11/17	17-33551	1181	Ignite Restaurant Group, Inc.	Unsecured: \$9,448.00	Claim filed after general bar date of 9/1/2017.
84	THE ULTIMATE SOFTWARE GROUP INC C/O AKERMAN LLP ATTN D BRETT MARKS, ESQ 350 E LAS OLAS BLVD STE 1600 FORT LAUDERDALE, FL 33301	01/16/18	17-33551	1436	Ignite Restaurant Group, Inc.	Unsecured: \$23,643.70	Claim filed after general bar date of 9/1/2017.
85	WASHINGTON SUBURBAN SANITARY COMMISSION C/O WSSC 14501 SWEITZER LN LAUREL, MD 20707	12/01/17	17-33553	1399	Joe's Crab Shack – Maryland, LLC	Unsecured: \$10,549.27	Claim filed after general bar date of 9/1/2017.
86	WESTPOINTE REFRIGERATION & HVAC, INC. 4849 LAUREL RIDGE DRIVE RIVERSIDE, CA 92509	01/17/18	17-33552	1432	Joe's Crab Shack, LLC	Unsecured: \$1,533.30	Claim filed after general bar date of 9/1/2017.
87	WESTPOINTE REFRIGERATION & HVAC, INC. 4849 LAUREL RIDGE DRIVE RIVERSIDE, CA 92509	01/17/18	17-33552	1432	Joe's Crab Shack, LLC	Unsecured: \$1,533.30	Claim filed after general bar date of 9/1/2017.

* Denotes an unliquidated component.

EXHIBIT B

Declaration of Ivona Smith

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 11
)	
IGNITE RESTAURANT GROUP, INC., et al.,¹)	Case No. 17-33550 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	

**DECLARATION OF IVONA SMITH IN SUPPORT OF
GUC TRUST’S THIRD OMNIBUS OBJECTION TO CLAIMS
PURSUANT TO SECTION 502(B) OF THE BANKRUPTCY CODE AND RULE 3007 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE SEEKING TO DISALLOW
AND EXPUNGE CERTAIN CLAIMS**

(LATE FILED CLAIMS)

Pursuant to 28 U.S.C. § 1746, I, Ivona Smith, hereby declare as follows:

1. I am an advisor at Drivetrain, LLC (“Drivetrain”). My business address is 630 Third Avenue, 21st Floor, New York, NY 10017.
2. Contemporaneously with the filing of this Declaration, the GUC Trustee filed the *GUC Trust’s Third Omnibus Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code and Rule 3007 of the Federal Rules of Bankruptcy Procedure Seeking to Disallow and Expunge Certain Claims (Late Filed Claims)* (the “Objection”).²
3. The GUC Trustee has duly authorized me to make and submit this Declaration in support of the Objection.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), are: Ignite Restaurant Group, Inc. (1359); Ignite Restaurant Group – RSC LLC (1791); Joe’s Crab Shack, LLC (4189); Joe’s Crab Shack – Redondo Beach, Inc. (5107); BHTT Entertainment, LLC (9818); Ignite Restaurants – New Jersey, LLC (5907); Joe’s Crab Shack – Maryland, LLC (5297); Joe’s Crab Shack – Anne Arundel MD, LLC (9318); Brick House Development, LLC (2944); JCS Monmouth Mall – NJ, LLC (3509); JCS Development LLC (4235). The Debtors’ service address is: 10555 Richmond Avenue, Houston, Texas 77042.

² All capitalized terms used but not defined herein shall have the meanings given to them in the Objection.

4. The facts set forth in this Declaration are based upon my personal knowledge or upon records kept in the ordinary course of the Debtors' business provided to the GUC Trustee that were reviewed by me or other employees of Drivetrain, LLC under my supervision and direction. If called and sworn as a witness, I could and would testify competently to the matters set forth herein.

5. I have coordinated and supervised the GUC Trustee's claims reconciliation process. Accordingly, I, or employees or advisors of Drivetrain, LLC under my supervision and direction, reviewed and analyzed the proofs of claim listed in **Schedule 1** to **Exhibit A** attached to the Objection.

The Objection

6. The Late Filed Claims set forth in **Schedule 1** to **Exhibit A** allegedly arose prior to the Petition Date and were required to be filed by the applicable Bar Date, but such Claims were not filed on or before the applicable Bar Date. None of the claimants that filed Late Filed Claims has filed a motion with the Court, or contacted the Debtors, requesting authorization to file a late Proof of Claim. If the Late Filed Claims are not disallowed and expunged, the parties that filed these Proofs of Claim will receive distributions to the detriment of other stakeholders in this case that they are not entitled to.

7. For these reasons, the GUC Trustee requests that the Court disallow and expunge each Late Filed Claim in its entirety.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: July 18, 2018

/s/ Ivona Smith

Ivona Smith
Drivetrain, LLC, in its capacity as GUC
Trustee of the Ignite Restaurant Group GUC
Trust